

State of California
Regional Water Quality Control Board
San Diego Region

EXECUTIVE OFFICER SUMMARY REPORT
April 13, 2005

ITEM: 8

SUBJECT: NPDES PERMIT RENEWAL: SEAWORLD SAN DIEGO, SAN DIEGO COUNTY (TENTATIVE ORDER NO. R9-2005-0091, NPDES PERMIT NO. CA0107336) (Paul J. Richter)

PURPOSE: To hold a public hearing and receive comments from interested parties regarding the renewal of the NPDES permit for Waste Discharge Requirements for SeaWorld San Diego.

PUBLIC NOTICE: The NPDES permit hearing notice was published in the San Diego Union-Tribune on March 11, 2005 for the Regional Board meeting scheduled for April 13, 2005.

Copies of the tentative Order were mailed on March 11, 2005 to the discharger and to all known interested parties and agencies. Copies were made available for public review at the Regional Board office on March 11, 2005. Copies of the tentative Order were sent via e-mail to SeaWorld and were posted on the Regional Board's web site on March 14, 2005.

These actions served as the 30-day official public notification for this action, as required by Title 40, Section 124.10 of the Code of Federal Regulations.

DISCUSSION: This Regional Board regulates the discharges of wastewater from SeaWorld pursuant to Order No. 2000-0025, NPDES Permit No. CA0107336, *Waste Discharge Requirements for SeaWorld San Diego, San Diego County*. SeaWorld has not asked for an increase in the current maximum design flow of 9.36 million gallons per day (mgd) for the facility. There are two separate intake, circulation, treatment, and outfall systems at SeaWorld. The systems are identified as the west side or the east side system and outfalls. SeaWorld pumps seawater from Mission Bay and then filters, disinfects, and circulates the seawater to the various aquaria at the facility. The discharges from SeaWorld consist of overflows from aquaria pools, intermittent flows from pool draining, facility irrigation, and facility wash water. The

discharges occur at the east side or west side of facility. Each side of the facility has a treatment system that will screen solids, settle solids, chlorinate, and dechlorinate the wastewaters before being discharged. The outfalls are located in Mission Bay.

The storm water collection system is used to convey the overflows from the aquaria, pool draining, wash water, and, during storm events, storm water to either the east side or west side treatment facility. The storm water discharges may flow through SeaWorld's treatment system or may by-pass the treatment system depending on the characteristics of the storm event.

The current NPDES Permit, Order No. 2000-0025, expired on April 12, 2005 but was administratively continued. If adopted, tentative Order No. R9-2005-0091 will renew the NPDES permit.

As of March 29, 2005, we have not received any written comments regarding the tentative Order.

KEY ISSUES:

1. The tentative Order includes additional requirements for SeaWorld to submit a Storm Water Management Plan (SWPPP), and to monitor storm water discharges. During some storm events, the discharges may by-pass the treatment system. SeaWorld has developed best management practices (BMP) to minimize potential impacts from storm water discharges.
2. There were 15 effluent violations during the past five years. A maximum mandatory penalty (MMP) for \$12,000 was issued in November 2000.

LEGAL CONCERNS:

None.

**SUPPORTING
DOCUMENTS:**

1. Location map.
2. Tentative Order No. R9-2005-0008.
 - i. Attachment A - Definitions
 - ii. Attachment B – Topographic Map
 - iii. Attachment C – Wastewater Flow Diagram
 - iv. Attachment D – Federal Standard Provisions
 - v. Attachment E – Monitoring and Reporting Program
 - vi. Attachment F – Fact Sheet
 - vii. Attachment G – Monitoring and Reporting Form
 - viii. Attachment H – Reasonable Potential Analysis Reports

- ix. Attachment I – Storm Water Pollution Prevention Plan Requirements
 - x. Attachment J – California Toxics Rule Constituents.
- 3. Transmittal letter dated March 11, 2005.
 - 4. Affidavit of Publication for public notice dated March 11, 2005.

**SIGNIFICANT
CHANGES:**

This Order includes requirements for SeaWorld to submit a Storm Water Pollution Prevention Plan (SWPPP) within one year of the adoption of the Order. The Monitoring and Reporting Program requires SeaWorld to monitor storm water discharges that by-pass the SeaWorld treatment system and to conduct visual inspections of storm water discharges.

**COMPLIANCE
RECORD:**

SeaWorld violated Order No. 2000-25 eight times in 2000, five times in 2002, and twice in 2004. The 2000 violations consisted of two enterococcus limitation violations, and six total coliform limitation violations. An MMP for \$12,000 was issued in November 2000. The 2002 violations consisted of one enterococcus limitation violation, two total coliform limitation violations, two fecal coliform limitation violations, and one ammonia limitation violation. The 2004 violations consisted of one ammonia limitation violation and one suspended solids limitation violation. The violations in 2004 are being evaluated for MMP.

RECOMMENDATION:

Adoption of tentative Order No. R9-2005-0091, NPDES Permit No. CA0107336 is recommended.